

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**PATRICK MICHAEL CIPOLLA** : **CIVIL ACTION**

v. :

**CAROLYN W. COLVIN, Acting  
Commissioner, Social Security  
Administration** : **NO. 16-2664**

**ORDER**

**NOW**, this 13th day of March, 2018, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review (Document No. 12), the defendant's response (Document No. 15), the Report and Recommendation of United States Magistrate Judge Marilyn Heffley (Document No. 18) , Plaintiff's Objections to the Report and Recommendation, and after a thorough and independent review of the record, it is **ORDERED** as follows:

1. The plaintiff's objections are sustained in part and overruled in part;
2. The Report and Recommendation is not adopted;
3. To the extent the plaintiff seeks remand, the request for review is

**GRANTED**; and

4. The matter is **REMANDED** to the Commissioner, pursuant to sentence four of 42 U.S.C. §405(g), for further proceedings consistent with the Memorandum Opinion issued this day.

/s/TIMOTHY J. SAVAGE